

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	Case No. 1:18-mj-14
)	
v.)	NDGA Location Code: NG17
)	Violation No. 6225336
PEYTON FLIPPEN)	Mag. Judge Christopher H. Steger

MEMORANDUM AND ORDER

Defendant PEYTON FLIPPEN (“Defendant”) came before the Court on February 12, 2018, in accordance with Rules 5, 5.1 and 32.1 of the Federal Rules of Criminal Procedure, for an initial appearance on an Arrest Warrant on a Violation Notice (“Warrant”) out of the United States District Court for the Northern District of Georgia.

After being sworn in due form of law, Defendant was informed or reminded of his privilege against self-incrimination under the 5th Amendment and his right to counsel under the 6th Amendment to the United States Constitution.

The Court determined that Defendant wished to be represented by an attorney and that he qualified for the appointment of an attorney to represent him at government expense. Consequently, the Court APPOINTED Gianna Maio of Federal Defender Services of Eastern Tennessee, Inc. to represent Defendant with respect to further proceedings in this case in the Eastern District of Tennessee.

Defendant was furnished with a copy of the Warrant and had an opportunity to review that document with his attorney. The Court determined that Defendant was capable of being able to read and understand the Warrant. At the Court’s request, AUSA Kyle Wilson explained to Defendant the offenses detailed in the Warrant and Violation Notice. Defendant acknowledged that he understood the offenses with which he is charged in the Warrant and Violation Notice.

The Court explained to Defendant that he had a right to an identity hearing to determine whether he is the person named in the Warrant; a right to production of the warrant (or a certified copy or electronic copy); a right to a preliminary hearing; and a right to a detention hearing. The Court further explained to Defendant that he had a right to transfer these proceedings to the charging district, which, in this case, is the United States District Court for the Northern District of Georgia.

Following consultation with his counsel, Defendant agreed to waive an identity hearing, production of the warrant, a preliminary hearing and a detention hearing in this Court, and to request transfer of those proceedings to the United States District Court for the Northern District

of Georgia [Doc. 5]. The Court confirmed for Defendant that he would be entitled to such proceedings in the charging district and that he needed to appear before the United States District Court for the Northern District of Georgia at Rome on Tuesday, February 13, 2018, at 10:00 a.m.

It is, therefore, **ORDERED** that:

1. The Government's motion that Defendant be DETAINED WITHOUT BOND pending further proceedings in the United States District Court for the Northern District of Georgia is **DENIED**.
2. Defendant shall arrange for his own transportation to the United States District Court for the Northern District of Georgia and shall appear before such Court on Tuesday, February 13, 2018, at 10:00 a.m.
3. The Clerk of Court for the Eastern District of Tennessee shall promptly transmit all documents relating to this case to the Clerk of Court for the United States District Court for the Northern District of Georgia.
4. The Clerk of Court for the United States District Court for the Northern District of Georgia shall immediately notify the United States Attorney for such district of Defendant's arrival so that further proceedings may be promptly scheduled.

ENTER.

/s/ Christopher H. Steger
UNITED STATES MAGISTRATE JUDGE